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STATUTORY INSTRUMENTS

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**1996 No. 587**

**ENERGY CONSERVATION**

**The Home Energy Efficiency Grants  
(Amendment) Regulations 1996**

<i>Made</i>	- - - -	<i>6th March 1996</i>
<i>Laid before the House of Commons</i>	- - - -	<i>8th March 1996</i>
<i>Coming into force</i>		
<i>For the purposes of regulation 4(2)</i>		<i>7th October 1996</i>
<i>For all other purposes</i>		<i>1st April 1996</i>

The Secretary of State, in exercise of the powers conferred upon him by section 15 of the Social Security Act 1990<sup>(1)</sup> and of all other powers enabling him in that behalf, and with the consent of the Treasury, hereby makes the following Regulations—

**Citation**

1. These Regulations may be cited as the Home Energy Efficiency Grants (Amendment) Regulations 1996.

**Commencement**

2. Regulation 4(2) shall come into force on 7th October 1996 and all other regulations shall come into force on 1st April 1996.

**Amendments**

3. The Home Energy Efficiency Grants Regulations 1992<sup>(2)</sup> shall be amended in accordance with the following regulations.

**Person who may apply for grant**

4.—(1) For regulation 3(1)(b)<sup>(3)</sup> (persons who may apply for grant) substitute—

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(1) 1990 c. 27.

(2) S.I.1992/483; amended by S.I. 1993/2799, S.I. 1994/637 and S.I. 1995/49.

(3) Regulation 3(1)(b) was substituted by S.I. 1994/637.

- “(b) who at the time of making the application has, or lives with a spouse who has, attained the age of 60; or
  - (c) who at the time of making the application is, or lives with a spouse who is, in receipt of an attendance allowance, a disability living allowance (as provided for in Part III of the 1992 Act), a disability working allowance, council tax benefit, family credit, housing benefit or income support (each as provided for in Part VII of the 1992 Act); or
  - (d) who at the time of making the application is, or lives with a spouse who is, in receipt of a war disablement pension and
    - (i) a mobility supplement or a payment intended to compensate for the non-payment of such a supplement; or
    - (ii) a payment made under regulations made under paragraph 7(2)(b) of Schedule 8 to the 1992 Act (constant attendance allowance).”.
- (2) In regulation 3(1)(c)(4) after “1992 Act” insert “or an income-based jobseeker’s allowance (within the meaning of the Jobseekers Act 1995)(5)”.
- (3) In regulation 3(2)(6)—
- (a) before the definition of householder insert—
    - ““an attendance allowance” means—
    - (a) an attendance allowance under Part III of the 1992 Act;
    - (b) an increase of an allowance which is payable in respect of constant attendance under a scheme under, or having effect under, paragraph 4 of Part I of Schedule 8 to the 1992 Act(7);
    - (c) a payment made under article 14, 15, 16, 43 or 44 of the Personal Injuries (Civilians) Scheme(8) or any analogous payment;
    - (d) any payment based on need for attendance which is paid with a war disablement pension; or
    - (e) any payment intended to compensate for the non-payment of any payment, allowance or pension mentioned in sub-paragraphs (a) to (d) of this definition;”;
  - (b) at the end of the definition of householder omit “and”;
  - (c) after the definition of householder insert—
    - ““mobility supplement” means a mobility supplement under—
    - (a) article 26A of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983(9) (including such a supplement payable by virtue of the application of that article by any other scheme or order); or
    - (b) under article 25A of the Personal Injuries (Civilians) Scheme 1983 (including that article as applied by article 48A of that Scheme)(10); and”;
  - (d) after the definition of spouse insert—

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(4) Inserted by regulation 4(1) of these Regulations.

(5) 1995 c. 18.

(6) Regulation 3(2) was substituted by S.I. 1995/49.

(7) See section 5 of the Industrial Injuries and Diseases (Old Cases) Act 1975 (c. 16) which was repealed, with savings, by the Social Security (Consequential Provisions) Act 1992 (c. 6).

(8) S.I. 1983/686; relevant amending instruments are S.I. 1983/1164 and 1984/1675.

(9) S.I. 1983/883; article 26A was inserted by S.I. 1983/1116 and amended by S.I. 1986/592, 1990/1308, 1991/766, 1992/710 and 1995/766.

(10) Article 25A was inserted by S.I. 1983/1164 and amended by S.I. 1983/1540, 1986/628, 1990/1300, 1991/708 and 1992/702; article 48A was inserted by S.I. 1984/1289.

““war disablement pension” means—

- (a) a war disablement pension within the meaning of section 139(11) of the Social Security Administration Act 1992<sup>(11)</sup>; and
- (b) a war disablement pension under article 10 of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983<sup>(12)</sup> (so far as that Order is made otherwise than under the Air Force (Constitution) Act 1917<sup>(13)</sup>); and”.

### **Grant applications**

5. In regulation 4(3) (application for grant)<sup>(14)</sup>—

- (a) in paragraphs (a) and (b) for “in a case where the applicant proposes to carry out the works himself” substitute “in a case where the applicant proposes that the works will not be carried out, or arranged to be carried out, by an eligible contractor”; and
- (b) for paragraph (e)(ii) substitute “(ii) the applicant specified the name of an eligible contractor as required by regulation 4(3)(a)”.

### **Procedure after applying to network installer**

6. In regulation 7(3)(b)(i) (procedure after applying to network installer) omit—

- (a) “the contributions as specified in column 2 of the table in regulation 9 together with”; and
- (b) “and the contribution”.

### **Procedure after applying to agency**

7. In regulation 8(2) (procedure after applying to administering agency) for “Except in a case where the applicant proposes to carry out the works himself” substitute “Except in a case where the applicant proposes that someone who is not an eligible contractor will carry out or arrange to carry out the works”.

### **Calculating size of grant**

8. In regulation 9 (calculation of size of grant)<sup>(15)</sup>—

- (a) in paragraph (1)—
  - (i) at the beginning insert “Subject to paragraph 4,”;
  - (ii) for the heading in column 2 of the table substitute “*Work not carried out or arranged by eligible contractor*”; and
  - (iii) in the heading in column 3 of the table substitute “*Work carried out or arranged by eligible contractor*”;
- (b) in paragraph (2) for “Where the work is carried out by the applicant” substitute “Where the work is not carried out or arranged to be carried out by an eligible contractor”; and
- (c) at the end insert—

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(11) 1992 c. 5.

(12) Article 10 was amended by S.I. 1993/598.

(13) 7&8 Geo. 5 c.51.

(14) Amended by S.I. 1994/637.

(15) Regulation 9 was substituted by S.I. 1993/2799.

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“(4) Where the applicant meets the condition in regulation 3(1)(b), but not the condition in regulation 3(1)(c) or (d), paragraphs (1) to (3) above shall apply as if the reference to the table were to the following table—

(1) Work under regulation	(2) Work not carried out or arranged by eligible contractor	(3) Work carried out or arranged by eligible contractor
5(1)(a)	£40.18	£49.68
5(1)(b)	£22.63	£32.13
5(1)(c)	£62.75	£76.25
5(1)(d)	No grant available	£10.00”.

### Claiming and paying grant

9. In regulation 10 (claim for and payment of grant)—

(a) in paragraph (1)—

(i) in sub-paragraph (a) for “by the applicant himself” substitute “by any other person”; and

(ii) in sub-paragraph (d)(ii) for “where the applicant carried out the work himself” substitute “where an eligible contractor did not carry out or arrange to carry out the work”; and

(b) in paragraph (4) for “where the work has been carried out by the applicant himself” substitute “where the work has not been carried out or arranged to have been carried out by an eligible contractor”.

### Buildings in multiple occupation: procedure after application

10. In regulation 13(1) (buildings in multiple occupation: procedure after application) omit the words after “regulation 4”.

### Application

11. Any amendment made by these Regulations shall not have effect in a case where an application has been made under regulation 4 of the Home Energy Efficiency Grants Regulations 1992 (application for a grant to administering agency) before the amendment comes into force.

Signed by authority of the Secretary of State

5th March 1996

*Robert Jones*  
Minister of State,  
Department of the Environment

We consent,

6th March 1996

*Simon Burns*  
*Michael Bates*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Home Energy Efficiency Grants Regulations 1992, which provide for grants to improve energy efficiency in dwellings and certain buildings in multiple occupation, and for agencies to administer the making of the grants.

Regulation 4 extends eligibility for grants to cases where an individual receives an attendance or disability living allowance, an income-based jobseeker's allowance or both a war disablement pension and a mobility supplement or constant attendance allowance.

Regulations 5, 7, 8(a)(ii) and (iii) and (b) and 9 replace references to cases where the applicant carries out the grant works himself with references to cases where the works are not carried out by eligible contractors. Regulations 6 and 10 remove redundant words in regulations 7 and 13 of the 1992 Regulations.

Regulation 8(a)(i) and (c) provides for a reduced amount of grant where the applicant is only eligible for a grant because he is at least 60 years old (or the applicant's spouse, where they are living together, has attained that age).

The Regulations come into force on 1st April 1996, except for regulation 4(2) (eligibility for grant in income-based jobseeker allowance cases) which comes into force on 7th October 1996. Regulation 9 contains transitional provisions.